

REMARKS

The claims have been amended to alleviate the alleged allegations of indefiniteness. Furthermore the specification has been amended to clarify certain terminology. No new matter is entered as the amendments to the claims and specification merely clarify what was intended and shown in the drawings and specification as originally filed and supported by definitions of terms. A Supplemental Information Disclosure Statement is also enclosed now citing the references in proper format for the citations previously cited in the specification.

It is important to note that the term "turning tool" as used in the specification and claims is synonymous with a lathe tool. The lathe is defined as a turning tool as set forth in the Encarta Online Dictionaries as attached hereto as Exhibit A. Furthermore the definition of such a lathe tool further shows that the tool is fixed while the workpiece i.e. lens is rotated as defined in Merriam Webster's Online Dictionary attached hereto as Exhibit B.

In the Office Action a restriction was made where applicant has provisionally elected claims 12-20 with traverse. This restriction is respectfully traversed because the method of making the spectacle lenses and the combination tool to make the spectacle lenses are so close that one cannot do the method with the tool and one has no known natural uses for the combination tool other than to make the lenses.

Secondly, good searching for the combination tool by the USPTO would cover the same classes and subclasses as searching for the method. No added

burden is placed on the examiner.

As to the rejection, the claims 12-20 have been rejected as being indefinite. It is believed the amendments have alleviated this rejection.

Claim 12-20 as understood by the examiner has been rejected in view of the Kennedy '511 reference. This rejection is respectfully traversed. The claims all relate to a combination tool where one tool is a milling tool that completely rotates about its axis for milling or grinding against the lens and the second tool is a lathe tool that has controlled swivel or rotation i.e. it rotates into position and can be fixed there while the workpiece i.e. lens rotates.

The Kennedy reference at best discloses a combination tool where the tool completely rotates during contact with the milling router R or the polishing section P. It does not disclose a turning i.e. lathe tool which has controlled rotation where it can be fixed in place for edging the spectacle lenses.

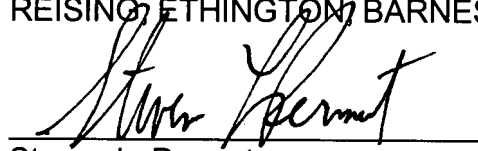
As such, it is now believed that the case is in condition for allowance and early notification of such allowance is earnestly solicited.

Applicant hereby requests a three (3) months extension of time. Enclosed please find Check No. 9743 in the amount of \$510.00 for the three (3) months extension of time.

If it is determined that any additional fees are due with this submission, the Commissioner is hereby authorized and respectfully requested to charge such fee to our deposit account No. 50-0852.

Respectfully submitted,

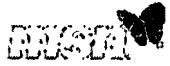
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A handwritten signature in black ink, appearing to read "Steven L. Permut", is written over a horizontal line.

Steven L. Permut  
Reg. No. 28,388  
P.O. Box 4390  
Troy, Michigan 48099  
(248) 689-3500

Date: July 18, 2007

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lathe

lathe

**lathe** [ lay□ ]noun (*plural* lathes)

### Definition:

**turning tool:** a machine for working wood or metal, in which the piece being worked is held and rotated while a cutting tool is applied to it

transitive verb (*past and past participle* lathed, *present participle* lath-ing, *3rd person present singular* lathes)

### Definition:

**work something with lathe:** to shape wood or metal using a lathe

[14th century. Probably < Old Danish *lad* "stand, framework"]

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## lathe

2 entries found for **lathe**.

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Main Entry: **<sup>1</sup>lathe**

Pronunciation: 'lA[th]

Function: *noun*

Etymology: probably from Middle English *lath* supporting stand

: a machine in which work is rotated about a horizontal axis and shaped by a fixed tool

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EXHIBIT **B**